

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL NO. 4:04CR18-HTW

RODNEY CORTEZ BOLER

AGREED ORDER REDUCING SENTENCE

The Court considers this case pursuant to its authority under 18 U.S.C. § 3582(c)(2) and Federal Rule of Criminal Procedure 43(b)(4). The U.S. Sentencing Commission has reduced guideline offense levels for cocaine base cases, and has made the reductions retroactive to previously-sentenced defendants. The parties agree that a sentencing reduction is appropriate in this case. The Court concurs, and hereby ORDERS as follows:

- (1) The sentence is reduced from 57 months to 46 months;
- (2) Defendant's projected release date is August 5, 2012; with his total 54 month reduction, including both his March 17, 2008, Rule 35 and this reduction, he should be entitled to immediate release;
- (3) If this sentence is less than the amount of time the defendant has served, Defendant's sentence is reduced to **TIME SERVED**;
- (4) All other terms and provisions of the original judgment remain in effect.

A copy of this agreed order shall be transmitted to the Bureau of Prisons immediately.

SO ORDERED on this the 15th day of April, 2008.

Henry T. Wagstaff
UNITED STATES DISTRICT COURT JUDGE

AGREED:

Dandra G. Moses
ASSISTANT U.S. ATTORNEY

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Defense Counsel*